

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

For Official Use

State of Wisconsin, Plaintiff
-VS-

**Petition and Stipulation to Waive
Appearance and Hearing, and**

- ☐ Order Extending Probation
☐ Judgment for Restitution
☐ Judgment for Court Ordered
Financial Obligations
☐ Terminate Probation

_____, Defendant
Name

DOC No. _____

Case No. _____

I am the defendant in this case and inform the court that:

1. My address is _____.
My occupation is _____. My date of birth is _____ (mo/day/yr).
2. I was convicted on (mo/day/yr) _____.
 - for committing the offense(s) of _____.
 - violating statute number(s) _____.
3. I was placed on probation for _____ years, _____ months. This probation expires on _____ (mo/day/yr).
4. I have failed to complete the following conditions of probation:

☐ Restitution: (Indicate below, name and address of victim, and amount unpaid.)
Name _____ Address _____

☐ See attached listing of victims.
Amount unpaid _____

☐ Court ordered financial obligations. Amount unpaid: \$ _____.
☐ Other: _____

5. I understand that the Dept. of Corrections believes I have not made a good faith effort to pay and is asking the court to:

- ☐ Extend my probation for _____ years, _____ months.
☐ Terminate my probation and
 - ☐ have a civil judgment entered against me for the unpaid restitution.
 - ☐ have a civil judgment entered against me for unpaid court ordered financial obligations.
 - ☐ waive my remaining court-ordered financial obligations.

6. I also understand that I have the rights listed on the back of this form.
7. I wish to waive my right to a hearing.
8. I ask the court to grant the request of the Department.
9. By signing this document, I certify that this waiver is made freely and voluntarily, without promises or threats.

Signature of Defendant

Date

Signature of Agent

Number of Agent

COURT ORDER / JUDGMENT

The court finds, orders, and adjudges that:

1. The defendant has waived a hearing. This waiver is free and voluntary and is a stipulation to grant the relief requested.
2. The Department's request is justified. The relief requested is in the best interests of the defendant and the community.
- ☐ 3. The defendant's probation is extended for _____ years, _____ months, from (current discharge date) _____ to (new discharge date) _____; or until all court obligations are completed, whichever comes first. This extension will serve the purposes for which probation was imposed.
- ☐ 4. Judgment is granted against the defendant in favor of the victim(s) listed in paragraph 4 above for the amount unpaid.
The clerk is directed to enter this judgment on the judgment and lien docket without fee.
- ☐ 5a. Judgment is granted against the defendant for unpaid court ordered financial obligations in the amount of \$ _____.
The clerk is directed to enter this judgment on the judgment and lien docket without fee. Twelve percent (12%) interest will be added from the date of entry of judgment.
- ☐ 5b. All remaining court ordered financial obligations of the defendant are waived.

BY THE COURT:

Distribution:

1. Court – Original _____
Circuit Court Judge Name Printed or Typed Date

Rights Being Waived

- I have a right to a hearing before the court on whether the Department's request should be granted.
- I have a right to be represented by an attorney and, if I cannot afford an attorney, one will be appointed for me.
- At a hearing, the Department would have to show that I have the ability to pay and that an extension will further my rehabilitation as well as the interests of the community.
- If I waive these rights, the court can enter an order extending my probation or enter a judgment against me.

_____ **Please initial that you have read your rights.**